

PTO/SB/31 (06-04)

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[] I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]

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Signature _____

Typed or printed
name

ALBERTA GAMBLE

In re Application of

Stephen J. Zack

Application Number

09/458,322

Filed

12/10/1999

For METHOD AND APPARATUS FOR PROVIDING IN-BAND
MESSAGING WITHIN A VIDEO ON DEMAND ENVIRONMENTArt Unit
2611Examiner
Huynh, Son P.

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 330.00.

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ 165.00.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 20-0782. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/06)

☐ attorney or agent of record.

Registration number

☒ attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34: 33,920.

John M. Kelly
Signature

John M. Kelly, Esq.

Typed or printed name

732-530-9404

Telephone number

September 2, 2004

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 2 forms are submitted plus 2 transmittal sheets and 1 facsimile transmission sheet.

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